

UNITED STATES DISTRICT COURT

OCT 18 2018

for the

Southern District of Texas

Clerk of Court

United States of America
v.
Victor MARTINEZ-De La Cruz
YOB: 1983
Mexico

Case No.

M-18-2137-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 17, 2018 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

21 USC 952(a) & 21 USC 841(a)(1)

Knowingly and intentionally attempt to import into the United States from the United Mexican States approximately 6.42 kilograms of cocaine, a Schedule II controlled substance under the Controlled Substances Act, and did knowingly and intentionally possess with the intent to distribute approximately 6.42 kilograms of cocaine, a Schedule II controlled substance under the Controlled Substance Act.

This criminal complaint is based on these facts:

See attachment A

☒ Continued on the attached sheet.

Approved by David A. Lindemann
10/18/18

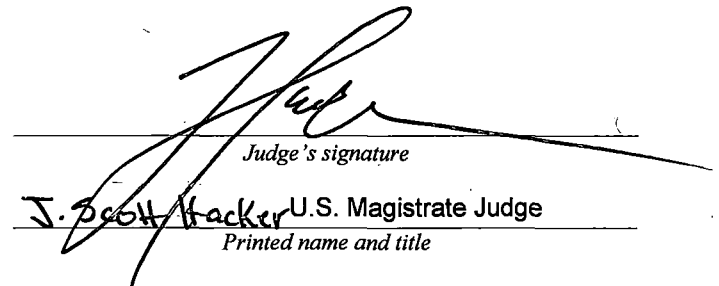
Sworn to before me and signed in my presence.

Date: 10/18/2018City and state: McAllen, Texas


Complainant's signature

Rene Santos, Special Agent

Printed name and title



Judge's signature

J. Scott Hacker U.S. Magistrate Judge

Printed name and title

ATTACHMENT A

On October 17, 2018, at approximately 7:49 AM, Victor MARTINEZ-De La Cruz applied for admission into the United States at the Pharr, Texas, Port of Entry. MARTINEZ was driving a vehicle with a Mexican license plate and stated that the purpose of his visit was to go food shopping. During primary inspection MARTINEZ gave a negative declaration for narcotics, currency over ten thousand dollars, weapons and ammunitions to the Customs and Border Protection (CBP) officer. MARTINEZ was referred for a secondary inspection where a CBP canine (K-9) alerted to the odor of narcotics in the vehicle. An x-ray scan of the vehicle was conducted which resulted in the discovery of anomalies in the vehicle's muffler. An examination of the muffler, by the CBP officers, revealed a hidden trap door on top of the muffler. Further inspection by the CBP officers resulted in the discovery of concealed packages, inside the muffler, which field tested positive for cocaine. A total of 6 brick shaped packages containing approximately 6.42 kilograms of cocaine was located concealed within the gas tank.

Homeland Security Investigations (HSI) Special Agent Rene Santos conducted an interview of MARTINEZ. After waiving his Miranda Rights, MARTINEZ stated that an unknown man in Reynosa, Mexico had told him he had to smuggle some packages into the United States using his vehicle. MARTINEZ stated that he knew he was smuggling some type of narcotics. MARTINEZ stated that on the afternoon before he was arrested, an unknown man took his vehicle, later during the night the vehicle was returned and he was giving instructions on where to leave his vehicle once he crossed into the US.